Revenue (1943) Department

Ms SERIES.

G.O. No. 107,

Dated 15.1.1943

[Despatch Abstract.]

Assessment - Land revenue (in Kanara) - Kumta taluk - marketing village - Sy. No. 1 - Site - Back assessment - Waiver - Refused

C.F. 32.

In reply, please quote number, date and short title.

ASST. SECRETARY TO GOVERNMENT — Received 27 JUL 1942 — LOCAL ADMINISTRATION DEPT.

DEPARTMENTARY — Registered 6 AUG 194 — REVENUE DEPART

From (Name) Sri K.Vittal Shetty,

(Designation) President, District Board, South Kanara.

Post Box ____, (Station) ____,

Telegraphic Address ____

To

The Secretary to Government,
Local Administration Department, Madras.

Ref. C. *No.* 30992/41/C3, *dated* 23. 7. 42 1941.

Sir,

*Subject. Assessment- Land Revenue- Udipi Taluk- Bommarbettu Village- S.No. 62 B- market site- back assessment- recovery-waiver orders solicited.

.....

Enclosures ✓

Spare Copies ____

The Hiriadka market when it was under the control of the District Board was being run in a portion of S.No. 63 of Bommarbettu Village, Udipi Taluk which stands registered as "Poramboke road". This market has since been transferred to the control of the Hiriadka Panchayat Board. In his Proceedings D.Dis. 4284- 41 dated 13.12.41 (copy enclosed) the Collector of South Kanara has ordered that back assessment on the market site should be collected from the District Board for a period of seven years. As per the conditions stipulated in the sale notifications of the leases of markets, the renter of a market is liable to pay the land revenue assessment on the market site. In the case under reference no assessment was fixed and demanded by the Revenue Department in previous years. In this Office letter Ref. C.No. 30992/ 41/C3 dated 30.5.42(copy enclosed) the above facts were brought to the notice of the Collector and he was requested to waive the recovery of back assessment on the site in question. The Collector has declined to waive the recovery of the same -please vid his letter L.Dis 4374/42 dated 27.6.42 (copy enclosed). As the previous renters of the market referred to above a

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no longer under the control of the District Board and as the payment of back assessment by the Board on the market site is likely to be objected to by the Audit Department, I request that Government may be pleased to order the cancellation of the levy of back assessment ordered by the Collector.

PRESIDENT.

TAS 24/7

Rev. Deptt.

Assessment- Land revenue- (South Kanara)- Udipi taluk- Bommarbettu village- S.No.62-B- Market site- Back assessment- Recovery- Waiver.

From the President, District Board, South Kanara, Ref. C No. 30992/41-C3, dt 23-7-42.

pp. 1-2 above

Endt. No. 3357- E/42-1, dt 8-8-1942

Referred to the Board of Revenue for remarks.

7.8.42

7.8.42

To the Bd. (with a copy of P.D.B.'s remarks at pp 1-7 CF)

E R to Bd on 8.9.42
Reminder on 23.9.42
Reminder on 8.10.42
E.R. to Bd. on 24.9.42
Reminder on 8-10-42
Reminder on 10-10-42
E R to Bd on 29.10.42
Reply awaited on 3.11.42
D O R to Collector 7/11
Reply awaited on 16/11
D O R to Bd. 17.11.42
Reply awaited on 24.11.42
E.R. sent on 15.12.42
Reply awaited on 2.1.43
Reply received on 3.12.43

D. Dis. 4284/41.

Proceedings of the Collector of South Kanara, dated 13.12.41.

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M.V. Subramanyan Esquire, I.C..S.

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Alienation- Land- Udipi Taluk-Bommarbetyu Village- S.No.63/B- market- Panchayat Board, Hiriadka-refused.

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Read the following:-

1. Letter O.R.No. 52/ 19 .6.41 from the President, Panchayat Board, Hiriadka.

2. District Board President's L.Dis. 2363-40/A7 dated 18. 2. 40.

3. Udipi Tahsildar's Report N. Dis./ -11307/41-B2- dated ~~18.2.40~~ 8.12.41.

4. The connected records.

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As enquiry shows that the land applied for by the Panchayat Board, Hiriadka, for a market ~~sites~~ forms portion of road proper, the alienation is refused. The President is, therefore, requested to select some other site and apply fpr its alienation.

2. Enquiry also shows that the land was being used for a market for the past 15 years and no assessment has been collected. The Tahsildar Udipi, is requested to collect assessment for 10 years on an extent of 25 cents at the rate of Rs 1.8.0 an acre. Assessment for three faslis should be collected from the Panchayat Board Hiriadka and for the previous seven faslis from the District Board, South Kanara.

Sd: x x x
For Collector.

To The President, Panchayat Board, Hiriadka through the Tahsildar, Udipi.
The President, District Board, South Kanara.
The Tahsildar, Udipi.

True Copy.

Mangalore, 23.7.42. President, District Board, South Kanara.

TAS 24/7

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Ref. 30992 /C3/41.

South Kanara District Board Office,
Mangalore, dated 30. 5. 1942

From

Sri K. Vittal Shetty,
President, District Board,
South Kanara.

To

The Collector of South Kanara.

Sir,

Subject. Assessment- Land Revenue- Udipi Taluk- Bommarbettu Village- S.No 63/B- market site.

Ref. Your D.Dis. 4284/ 41 dated 13.12.1941.

.....

The market was run in a very small portion of S.No. 63 of Bommarbettu Village which stands registered as road poramboke by the side of the road running from Hiriadka to Baje. No patta was issued by the Revenue Department as the portion stands as road poramboke and no steps were taken hitherto by the Revenue Department to transfer the portion to assessed waste and to issue a patta in the name of the District Board. The Board coul have been made liable to pay the assessment now ordered to be collected frc it if a patta had been issued. As no assessment was fixed and demande by the Revenue Department till now the same was not collected from the rente of the market who is liable to pay the assessment as per the conditions stipulated in the sale notification of markets.

In the circumstances, I request you to waive the recovery of the assessment for the past years.

Sd: K.Vittal Shetty,
President, Dt Board.

True Copy.

President, Dt Board,
South Kanara.

Mangalore, 23. 7,42.

TAS 24/7

T Dis 4374/42. South Kanara Collector's Office,
Mangalore, dated 27.6.42

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From
M. Karamatullah Esq, I.C.S.,
Collector of South Kanara.

To
The President, District Board,
South Kanara.

Sir,
Assessment-Land Revenue-Udipi Taluk-Bommarbettu Village-S.No. 63/B-market site-back assessment waiver.

Reference. Your letter Ref. 30992 / C3/41 dated 30.5.42-

.....

I regret I am unable to comply with your request. The District Board is liable to pay the assessment as the plot was occupied for purposes other than "road purposes" and it had derived income therefrom-

Sd: x x x x
For Collector.

True Copy.

Mangalore, 23. 7.42.

President, District Board,
South Kanara.

25/7/42.

Revenue Department.

Subject:- Assessment- Land Revenue- (South Kanara)- Udipi Taluk- Bommarabettu village- S.No.62-B- Market site- Back assessment -recovery - Waiver - Board's remarks submitted-

SECRETARY TO GOVERNMENT
5469E
16 DEC 1942
REVENUE DEPARTMENT

Rout. No.3626-S

Station:. Salem 12.12-42.

From

S.Y. Krishnaswami Esq., I.C.S.,
Secretary, Board of Revenue.

F.W. Stewart Esq., C.I.E., M.C., I.C.S.,
Commissioner of Land Revenue.

--

Read:-

Endorsement from Government, Revenue Dept. No.3357-E/42-1 dated 8-8-42.

ii.

Letter from M. Karamatullah Esq., I.C.S., Collector of South Kanara, No. nil dated 18-11-42:-

Ref:- Board's Refce.C.No.n. 1676-42-2 dated 11-11-42:-

I enclose herewith a copy of my letter L.Dis.No.6700-42 dated 19-10-1942 as ordered-

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Copy of letter from M. Karamatullah Esq., I.C.S., Collector of South Kanara, to the Secretary to the Board of Revenue, Land Revenue, Salem, dated 19-10-1942. L.Dis.No.6700-42.

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Refce:- O.N.1676-42-1 of the Board of Revenue.

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S.No.63/B of Bommarbettu village which is a temporary sub division of S.No.63, poramboke road vested in the District Board, was being used as a market site without formal alienation orders. This misuse of road poramboke and the use for a market

arket site is liable for payment of assessment by the Local Board concerned, h/ough the Local Board makes the renter liable to pay under the con- ract of market licence. By a notification under Section 62 of the adras Local Board's Act, the President, District Board in his Ref. o.8109 and 8429-C.5-38 dated 26-5-1939, transferred the said marke ite to the control of the Hiriadka Panchayat Board with effect from -4-1939. The District Board was therefore made liable to pay ack assessment for 7 years , and the Panchayat Board, Hiriadka for hree years in this office D.Dis.No.4284-41 dated 13-12-1941. As he transfer of the property is under Section 62, the District Board tself may pay the back assessment for 10 years or make the Panchayat oard pay it, if the division done is considered not fair. The onditions of the auction sale are not binding on Government and the lienation was not applied for until after the transfer of the market ite to the Panchayat Board, Hiriadka. There is no reason therefore o forego the back assessment.

esolution:-

Submitted to Government with reference to their Endorsement cited above.

2. The Board considers that the back assessment for 10 years which works out to Rs.3-12-0 at the rate of Re 0-6-0 a year, is too small to be disputed. The District Board may be asked to pay it up.

T.R. Narasimhan
for Secretary. 14.12.41

To the Secretary to Government, Revenue Dept.

AMK. 14/12.

Jm/P.V.N
14/12

11

Rev. Dept.

BS/Vol. 11/1941

(C.No. 3357-E/42)

From the P.D.B. South Kanara, Ref. No. 30992/41/A3, dt 23-7-42

From the Bd. of Rev. B.P. Rt. No. 3626-S, dt 12-12-42.

CIB

Please view in folder

GSK 13/1/43

(17)

G.O. Ms. No. 1072 dated 15-1-43 ~~12-1942.~~

The Govt. see no reason ~~regret that they are~~ unable to comply with the request of the District Board, South Kanara to waive the recovery of back assessment in respect of S. No. 63-B of Bommarabettu village, Udipi taluk, South Kanara district used as a Market

To the Bd. of Rev.
To the Collr. of S. Kanara thro' the Bd of Rev.
To the P.D.B. S Kanara thro' L.A.D

GSK 17.12.42 sit

13/1/43

Rev. Deptt.

C.No. 3357 ~~3369~~ E/42). Assessment- Land revenue- (South Kanara)- ~~Kadip~~ taluk - Bommarbettu village - S. No. 62-B - Market site - Back assessment - Recovery - Waiver.

From the P.D.B., South Kanara, Reg. C.No. 30998/41/R3 dt 23-7-1942.

pp 1 to 2 CF From the Bd. of Rev. Regn. B.P. Rt. 3626-S, dt 12.12.42.

To HS.

Please see the letter from the P.D.B. South Kanara at pp. 1-2 C.F. and the B.P. at pp. 9-10 C.F. For the reasons mentioned in his letter at pp. 9-10 C.F. the Collector has no reason to forego the back assessment on the market site due from the District Board. The Bd. considers the amount too small to be disputed and therefore recommends that the District Board may be asked to pay it up. For orders whether the Board's recommendation may be accepted. If so, a draft order is submitted for approval. It may be sent to L.A. ~~for~~ for acceptance. This need not see us

SR 17.12.42.

the recovery of the back assessment is to be waiv

Though F 21/12/42 21.12.42

18/12/42

21.12.1942

S

21/12/42

L.A

Lo. A. Deptt/B. Sec

Rev. No 3357/E/42

ASST. SECRETARY TO GOVERNMENT 11 JAN 1943 1918 REVENUE DEPARTMENT

2 DEC 1942 36428

Lo. A. No 36428-/B 7.1.43

The draft below may be accepted ~~perused~~ and the file returned to Revenue Department.

Dt 30.12.42

SR 2/1/43 See

Re

11

ok assessment for years is levisable vide refer to the orders in para 1 (i) of G.O. 1714 Rev dt 7.7.38

Rev. Deptt.

(C.No. 3357 ~~3357~~ E/42). Assessment - Land revenue - (South Kanara) - Udipi taluk - Bommarbettu village - S. No. 62-B - Market Site - Back assessment - Recovery - Waiver.

From the P.D.B., South Kanara, Rej. C.No. 30998/41/K3 dt 23-7-1942.

From the Bd. of Rev. Rej. B.P. Rt. 3625-S, dt 12.12.42.

To K.S.

Please see the letter from the P.D.B. South Kanara at pp. 1-2 C.F. and the B.P. at pp. 9-10 C.F. For the reason mentioned in his letter at pp. 9-10 C.F. the Collector has no reason to forego the back assessment on the market site due from the District Board. The Bd. considers the amount too small to be disputed and therefore recommends that the District Board may be asked to pay it up. For orders whether the Board's recommendation may be accepted. If so, a draft order is submitted for approval. It may be sent to L.A. ~~dept~~ for acceptance. (Jin need not see unless the recovery of the back assessment is to be waived)

back assessment of 10 years is limitation with refce to the orders in para 1 (i) of Go. 1744 Rev dt 7.7.38

17.12.42.

18.12.42

Through F

21.12.42

21.12.42

L.A.

L.A. Dept/B. Sec

Rev. 40 3357 E/42

ASST. SECRETARY TO GOVERNMENT 11 JAN 1943 REVENUE DEPARTMENT

23 DEC 1942 36428 REVENUE DEPT.

The draft below may be accepted ~~perused~~ and the file returned to Revenue Department.

L.A. 36428-1/2

7.1.43

30.12.42

3/1/43

See Rev. ✓

Rev. Deptt

To HS.

Please see notes on p.1 ante. The draft order below may issue.

12-1-43. 12.1.43

(Issued as Govt No 1072 Rev dt 13.1.43) bp 11.12.42